that in the medium term, the Government of India is willing to partake in the joint efforts with the Australian Government through pre-departure orientation programmes and legislation specifically providing for stringent punishments under the proposed 'Emigration Management Act', for Education Agents who exploit innocent students with false and exaggerated promises.

2. The Australian side stated that their Government is taking rigorous action to bring the situation under control. There was no evidence to suggest that the recent attacks on Indian students were racially motivated. The Victorian police has acted with due promptitude and made quite a few arrests following these attacks and that the accused will be presented in courts and prosecuted by following the due process of law in Australia. The Government of Australia would do everything in their powers to address the situation expeditiously. He then listed the other initiatives by both the Federal and State Governments and the action taken in the recent past, including the 10-point Action plan drawn-up by Universities Australia, setting of special Task Force, Community Liaison Groups, Student Roundtable etc.

3. The Australian side welcomed and agreed to consider favourably the suggestions made by the Indian side to provide for a comprehensive medical insurance cover for Indian students by factoring-in an appropriate element into the tuition fee-structure, devising mechanisms to ensure the quality of education-especially at private education providers in the field of Vocational Education and Training (cookery and haircutting came-in for special mention), bringing in legislative measures to regulate and control Education Agents, mandatory provision of on-campus accommodation and employment to Indian students, etc.

4. The meeting ended with the Australian side readily accepting Secretary's suggestions to form a Joint Working Group to consider the regulation of Employment Agents and organize pre-departure orientation programme and make appropriate recommendations to the two Governments.

Report on Emigrant workers

2935. SHRI TARINI KANTA ROY:
SHRI TAPAN KUMAR SEN:

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) the recommendations of Standing Committee of External Affairs in its report No. 14 regarding Emigrant workers;

(b) whether the recommendations have been implemented;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF OVERSEAS INDIAN AFFAIRS (SHRI VAYALAR RAVI): (a) to (d) The recommendations and the actions taken thereon are given in the Statement.

Statement

The Status of action taken on the recommendations of the Standing Committee with regard to emigrant workers in Report No. 14

Sl. No.	Para No.	Recommendations/Observations action taken	Action taken
1	2	3	4
1	2.13	The Committee observe that the Overseas Indian workers are estimated at about 4-5 million and their remittances into India are estimated at $12-15 billion annually. The Committee also observe that most of them belong to unskilled and semi-skilled category and there has been a steady increase, to the tune of 1 million a year, in the number of persons emigrating for employment abroad. Taking note of the fact that the Ministry propose to undertake skill upgradation and pre-departure training programme for potential emigrant workers, the Committee recommend that the training programmes undertaken must keep in view the changing nature of manpower requirement of countries around the world through the Indian Missions. The information regarding the training so imparted and the database of manpower availability should also be available with our Missions abroad. The Committee further recommend that the proposals received from Tamil Nadu, Andhra Pradesh and Kerala for starting emigrant workers training programmes should be followed up with the concerned States and the training programmes for emigrant workers started expeditiously.	Ministry of Overseas Indian Affairs has undertaken a scheme for the Skill upgradation and Pre-departure Orientation training of potential migrant workers. The scheme is implemented in partnership with select State Governments, Ministry of Micro, Small and Medium Enterprises (MSME) and apex Industry Associations like the CII and ASSOCHAM. The training is aimed to upgrade the skills of our workers, after taking into account the skills requirements abroad. Information about the training has been disseminated to all concerned.
2.	2.14	The Committee are concerned to note that Overseas Indian workers are facing numerous problems regarding non-payment/delayed payment of wages,	After its creation in 2004, the Ministry of Overseas Indian Affairs has made concerted efforts to enter into bilateral

1	2	3	4
		unilateral changes in the contract of workers, changing the jobs arbitrarily etc. In certain cases, the workers are not given any employment and are left in the lurch in the foreign country. The Committee, therefore, recommend that the Ministry should focus on the need to safeguard the interests of Indian workers abroad, by entering into bilateral agreement with countries where there are substantial number of Indian workers. The Committee appreciate that a beginning has since been made by the Ministry for entering into bilateral agreements with Kuwait, Qatar, Oman and Malaysia. The Committee desire that the discussion/negotiation for bilateral agreement with these countries be expedited to ensure that the workers interests are protected and that they are no longer exploited by the unscrupulous agents in India and by their employers abroad.	Memorandum of Understanding (MoU) with all the major receiving Countries for protecting the interests and welfare of our migrant workers. MoUs have been signed with UAE in December, 2006, with Kuwait in April 20.07, with Oman in November 2008, with Malaysia in January 2009 and with Bahrain in June, 2009.
3.	2.15	The Committee welcome the proposal of the Government to have an award called "Pravasi Bhartiya Shramik Puruskar" that will consist a citation and 1 lakh rupees in cash with the objective of recognizing the outstanding contribution made by Overseas Indian workers. The Committee note that there will be 10 such awards every year and the first series of such Awards conferred on January 9, 2007 during the valedictory session of Pravasi Bhartiya Divas 2007. The Committee are happy that Government is instituting this award in recognition of the huge contribution these workers make through their remittances to the national economy.	The scheme of instituting a separate Pravasi Bhartiya Shramik Puruskar was examined. However, it was decided that instead of a separate scheme of awards, the criteria for nomination for the existing Pravasi Bhartiya Samman may be suitably modified to incorporate the category of workers in the existing award scheme. Subsequently, the provision has been made for conferring Pravasi Bhartiya Samman Award on overseas Indian workers in the revised guidelines.

1	2	3	4
4.	2.24	During their study visit to some of the offices of POEs during November 2006, the Committee observed that the office accommodation was too small, remotely located, unkempt and without proper infrastructure in place. The Committee, therefore, desire that the POE submit a detailed report within three months on all the regional offices of POE indicating office-wise staff strength, the number of applications received, space requirement and actually available, suitability of the office location in terms of accessibility and the infrastructure needed to make the offices efficient and user friendly. For the convenience of applicants, the Committee, recommend that the POE office may also open 'May I help you' counters, so that applicants are not exploited by soliciting spurious agents.	To provide better work environment to the staff and better facilities to the emigrants, the Ministry initiated programme of modernization of 8 POE Offices. The office of POE, Delhi, Chandigarh, Chennai and Cochin have been modernized. The modernization work in POE, Kolkata, Trivandrum is underway. The office of POE, Hyderabad is under shifting to a new premises and the modernization work will be undertaken after shifting is taken place. The renovation/ modernization work of the office of POE, Mumbai is underway. The office of POE, Cochin has shifted to new office with big office space with modern facilities.
5.	2.29	Taking note of the large scale exploitation and harassment of prospective emigrants by spurious Recruiting Agents (RAs), the Committee recommend that the Emigration Act 1983 be amended expeditiously by inserting provisions so that deterrent punishment is inflicted on spurious RAs and the RAs duping the emigrant workers. In order to curb the incidents of illegal emigration for which spurious RAs are responsible, the Committee further recommend that respective POE offices should hold regular meeting with the Police Department of the concerned States to follow up on the cases registered and to chalk out ways and means for dealing with spurious recruiting agencies. The Committee would also like the	The Ministry is proposing to replace the existing Emigration Act with a comprehensive legislation. The new law is aimed at transforming Emigration into a simple, transparent and humane economic process, facilitate legal migration, prevent illegal migration and human smuggling, enable ethical recruitment practices and enhance the protection and welfare of emigrants. The Government has already amended the emigration rules w.e.f 9th July, 2009 to increase the Bank Guarantee for Recruiting Agents from Rs. 10 lakhs to Rs. 20 lakhs,

1	2	3	4
		Government to widely publicise the blacklisted agents (both foreign and Indian) to preclude duping of unsuspecting workers seeking emigration.	application fee from Rs. 5,000 to Rs. 25,000 and the maximum service charge permissible to be collected by the Recruiting Agents from Rs. 10,000 to a maximum of Rs. 20,000 or equivalent to 45 days wages. The recruiting agents as well as the foreign employers have been entrusted with additional duties and responsibilities to enhance protection of emigrants from the exploitation. Information about RAs whose registration has been cancelled or suspended and Foreign Employers who are blacklisted are put on the Ministry's website to give wide publicity and to create awareness among prospective emigrants to avoid such fraudulent agencies.
6.	2.34	The Committee observe that the proposal to introduce smart card was initiated way back in March, 2005, but despite considerable lapse of time no significant headway has been made. The explanation submitted by the Ministry for the delay in introduction of smart card in the field offices and at the Headquarters of POE is found untenable by the Committee as India is acclaimed to be one of the high-tech capital of the world. The Committee, therefore, see no reason as to why the introduction of smart card should be delayed so inordinately. The Committee, therefore, recommend that the Government should expedite full computerization of all the Offices of POE, and impart necessary training to the staff so that the introduction	All the eight POE Offices have been computerized and connected with the PGE's Office. Further, a comprehensive E-Governance project in emigration has been undertaken by the Ministry with the objective to enhance the quality of services and making the emigration process user-friendly, trans-parent and efficient functioning on real time basis The proposal for introduction of the Smart Card for the migrant workers abroad is also under consideration.

1	2	3	4
		smart card is facilitated without any operational difficulty.	
7.	2.44	The Committee are happy to note that the Government has introduced the Pravasi Bhartiya Bima Yojana (PBBY), 2003 in an effort to safeguard the interests of the emigrant workers. The Committee also note that the PBBY, 2003 has now been upgraded as the PBBY, 2006 and emigrant workers will now get a minimum cover of Rs. 5 lakhs, instead of Rs. 2 lakhs. The Committee, however, note that as on date 11.07 lakhs policies have issued, but the number of policies issued *vis-a-vis* the number of emigrant workers is still far less. The Committee feel that there are many more potential workers in need of insurance and, therefore, recommend that the Ministry must sensitise the workers on benefits of getting insured. The Committee also desire that the subscription premium should be reviewed so as to consider the scope to further reduce it.	A compulsory Insurance Scheme known as Pravasi Bhartiya Bima Yojana (PBBY) 2003 which was notified on 13.11.2003 came into force on the 25th day of December, 2003. The scheme was later revised on 25.1.06 with amendment coming into force ***w.e.f.*** 1.2.06. Subscription to the insurance cover under PBBY is mandatory for all intending emigrant workers, who apply for and obtain emigration clearance from the Protector of Emigrants (POE) as required under the Emigration Act, 1983 (31 of 1983). Emigration is not granted by the POE unless the emigrant worker subscribes to the insurance cover under PBBY. Since 25.12.03, till June, 2009, clearance has been granted by the POEs to approximately 41.52 lakh persons going for employment abroad, and therefore the number of policies issued under the PBBY till June, 2009 is 41.52 lakh approximately. The issue relating to review of the subscription amount alongwith add on benefits to the emigrant workers under the PBBY, is under consideration in consultation with the insurance companies.